

# MINUTES

No. 5032

En Banc

*Arizona Supreme Court*  
Tuesday, January 5, 2016

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**CR-15-0078-PR**

**STATE OF ARIZONA v BOBBY JERRY TATUM**

(1)

*Court of Appeals, Division Two*

*2 CA-CR 14-0460 PRPC*

ORDERED: Petition for Review = DENIED.

**CR-15-0209-PR**

**STATE OF ARIZONA v EULANDAS J FLOWERS**

(2)

*Court of Appeals, Division One*

*1 CA-CR 13-0617 PRPC*

ORDERED: Petition for Review = DENIED.

**CR-15-0221-PR**

**STATE OF ARIZONA v WILLIAM JOSEPH FLANAGAN**

(3)

*Court of Appeals, Division One*

*1 CA-CR 13-0565 PRPC*

ORDERED: State's Petition for Review of Court of Appeals' Decision = DENIED.

**CV-15-0238-PR**

**KELLEY ROLLINGS et al v THE CITY OF TUCSON**

(4)

*Court of Appeals, Division Two*

*2 CA-CV 14-0069*

ORDERED: Appellee Rollings Petition for Review = DENIED.

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**CV-15-0239-PR**

**UNITED BEHAVIORIAL et al v MC INTEGRATED HEALTH**

(5)

*Court of Appeals, Division One*

*1 CA-CV 14-0027*

*1 CA-CV 14-0421*

ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Maricopa Integrated Health System) = CONTINUED.

Chief Justice Bales did not participate in the determination of this matter.

**CV-15-0268-PR**

**JOHN SULLIVAN et ux v PULTE HOME CORPORATION**

(6)

*Court of Appeals, Division One*

*1 CA-CV 14-0199*

ORDERED: Petition for Review = DENIED.

Justice Timmer did not participate in the determination of this matter.

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**CV-15-0302-PR**

**DAVID C./KIM C. v ALEXIS S./A.C.**

(7)

*Court of Appeals, Division One*

*1 CA-JV 14-0311*

ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.

**CR-15-0025-PR**

**STATE OF ARIZONA v JOHN HENRY TOMLIN**

(8)

*Court of Appeals, Division One*

*1 CA-CR 13-0506*

ORDERED: Petition for Review = DENIED.

**CR-15-0200-PR**

**STATE OF ARIZONA v VERONICA TORRES**

(9)

*Court of Appeals, Division Two*

*2 CA-CR 15-0052 PRPC*

ORDERED: Petition for Review = DENIED.

**CR-15-0232-PR**

**STATE OF ARIZONA v WILLIAM FRANKLIN NAJAR**

(10)

*Court of Appeals, Division One*

*1 CA-CR 13-0686 PRPC*

ORDERED: Petition for Review = DENIED.

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**CR-15-0236-PR**  
(11)

**STATE v SAMKEITA JAHVEH JURDEN**

*Court of Appeals, Division One*                      1 CA-CR 14-0002

ORDERED: The State of Arizona's Petition for Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.

**CR-15-0245-PR**  
(12)

**STATE OF ARIZONA v JERRY LEON PATTON**

*Court of Appeals, Division One*                      1 CA-CR 12-0798

ORDERED: Petition for Review = DENIED.

**CR-15-0276-PR**  
(13)

**STATE OF ARIZONA v RICHARD BACA**

*Court of Appeals, Division One*                      1 CA-CR 14-0691

ORDERED: Petition for Review = DENIED.

**CV-15-0221-PR**  
(14)

**CORWIN S. v HON. ELLEDGE/STATE**

*Court of Appeals, Division Two*                      2 CA-SA 15-0037

ORDERED: Appellant's Petition for Review = DENIED.

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**CV-15-0246-PR**  
(15)

**ARMANDO MATTOS v ICA/STARWOOD HOTELS et al**  
*Court of Appeals, Division One*                      *1 CA-IC 14-0041*

ORDERED: Petitioner Employee's Petition for Review = DENIED.

**CV-15-0296-PR**  
(16)

**KEILYNN K. v DCS/Z.S.**  
*Court of Appeals, Division Two*                      *2 CA-JV 15-0051*

ORDERED: Petition for Review to the Supreme Court of Arizona = DENIED.

**CR-15-0122-PC**  
(17)

**STATE OF ARIZONA v RYAN WESLEY KUHS**  
*Maricopa County Superior Court*                      *CR 2005-138481*

ORDERED: Petition for Review (on Denial of Post-Conviction Relief) (Capital Case) = DENIED.

**CR-15-0152-PR**  
(18)

**STATE OF ARIZONA v FILBERTO GIRON**  
*Court of Appeals, Division One*                      *1 CA-CR 13-0360*

ORDERED: Petition for Review = DENIED.

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**CR-15-0182-PR**  
(19)

**STATE OF ARIZONA v KENRICK FONCETTE**

*Court of Appeals, Division One*                      *1 CA-CR 14-0030*

ORDERED: Amended Petition for Petition = DENIED.

**CR-15-0211-PR**  
(20)

**STATE OF ARIZONA v JEREMY ALLEN MATLOCK**

*Court of Appeals, Division Two*                      *2 CA-CR 14-0274*

ORDERED: Petition for Review to Arizona Supreme Court = DENIED.

**CR-15-0231-PR**  
(21)

**STATE OF ARIZONA v STEVE RAY BENTLEY**

*Court of Appeals, Division Two*                      *2 CA-CR 15-0175 PRPC*

ORDERED: Petition for Review to the Supreme Court = DENIED.

**CR-15-0234-PR**  
(22)

**STATE v MICHAEL EUGENE BROOKS**

*Court of Appeals, Division One*                      *1 CA-CR 14-0298*

ORDERED: Petition for Review = DENIED.

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**CR-15-0271-PR**  
(23)

**STATE OF ARIZONA v WARREN FRANK STAFFORD**  
*Court of Appeals, Division Two*                      2 CA-CR 15-0150 PRPC

ORDERED: Petition for Review: Post-Conviction Relief = DENIED.

**CV-15-0206-PR**  
(24)

**BELINDA BAKER v HON. MILES/STATE**  
*Court of Appeals, Division One*                      1 CA-SA 15-0143

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

FURTHER ORDERED: The stay previously entered is dissolved.

**CV-15-0244-PR**  
(25)

**FIRST AMERICAN TITLE INSURANCE CO v JOHNSON BANK**  
*Court of Appeals, Division One*                      1 CA-CV 14-0190

ORDERED: Petition For Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Johnson Bank) = CONTINUED.

Justice Timmer did not participate in the determination of this matter.

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**CV-15-0300-PR**  
(26)

**HACI v BMO HARRIS BANK et al**

*Court of Appeals, Division One*

*1 CA-CV 13-0147*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross-Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees BMO Harris Bank/Lexington Avenue LLP) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Cross-Claimant/Appellant Haci) = GRANTED.

**CR-15-0071-PR**  
(27)

**STATE OF ARIZONA v JON ANTHONY SCHWEDER**

*Court of Appeals, Division One*

*1 CA-CR 13-0496 PRPC*

ORDERED: Petition for Review = DENIED.

**CR-15-0224-PR**  
(28)

**STATE OF ARIZONA v ANGELICA MARLENE WERDERMAN**

*Court of Appeals, Division Two*

*2 CA-CR 15-0049 PRPC*

ORDERED: Petition for Review to Arizona Supreme Court = DENIED.

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**CR-15-0242-PR**  
(29)

**STATE OF ARIZONA v CARLOS OROZCO**

*Court of Appeals, Division Two*                      2 CA-CR 14-0043

ORDERED: Petition for Review = DENIED.

**CR-15-0243-PR**  
(30)

**STATE OF ARIZONA v HOPE LYNETTE KING**

*Court of Appeals, Division Two*                      2 CA-CR 15-0140 PRPC

ORDERED: State of Arizona's Petition for Review = DENIED.

**CR-15-0257-PR**  
(31)

**STATE OF ARIZONA v RICHARD STEVEN CAMPBELL**

*Court of Appeals, Division One*                      1 CA-CR 13-0631

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: The stay previously entered is dissolved.

**CR-15-0290-PR**  
(32)

**STATE OF ARIZONA v CRAIG DWAYNE JUSTICE**

*Court of Appeals, Division One*                      1 CA-CR 13-0904

ORDERED: Petition for Review = DENIED.



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**CV-15-0259-PR**  
(36)

**DALE GRABOIS et al v BMO HARRIS/GRAND CANYON TITLE**  
*Court of Appeals, Division One*                      *1 CA-CV 13-0164*

ORDERED: Edited Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellants Grabois et al) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee BMO Harris Bank) = GRANTED.

**CR-15-0156-PR**  
(37)

**STATE OF ARIZONA v SCOTT LEE DESHAW**  
*Court of Appeals, Division One*                      *1 CA-CR 13-0635 PRPC*

ORDERED: Petition for Review = DENIED.

**CR-15-0198-PR**  
(38)

**STATE OF ARIZONA v BOBBY CHARLES PURCELL**  
*Court of Appeals, Division One*                      *1 CA-CR 13-0614 PRPC*

ORDERED: Petition for Review = DENIED.

**CR-15-0205-PR**  
(39)

**STATE OF ARIZONA v JONATHAN ANDREW ARIAS**  
*Court of Appeals, Division One*                      *1 CA-CR 13-0548 PRPC*

ORDERED: Petition for Review = DENIED.

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**CV-15-0234-PR**  
(40)

**JEREMY V. v JUDITH H./K.V.**

*Court of Appeals, Division One*

*1 CA-JV 14-0274*

ORDERED: Petition for Review = CONTINUED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Jeremy V.) = CONTINUED.



The foregoing action was taken by the Arizona Supreme Court on Tuesday, January 5, 2016.

\_\_\_\_\_ Date: \_\_\_\_\_  
Scott Bales, Chief Justice